

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSE SANCHEZ, ISMAEL RAMOS
CONTRERAS, and ERNEST GRIMES, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

UNITED STATES OFFICE OF BORDER
PATROL, UNITED STATES CUSTOMS
& BORDER PROTECTION,
DEPARTMENT OF HOMELAND
SECURITY; JOHN C. BATES, Chief
Patrol Agent, Blaine Sector of the United
States Border Patrol, in his official
capacity; JANET NAPOLITANO,
Secretary, Department of Homeland
Security, in her official capacity; DAVID
AGUILAR, Acting Commissioner, United
States Customs & Border Protection, in his
official capacity; MICHAEL J. FISHER,
Chief of the United States Border Patrol, in
his official capacity; and JAY CUMBOW,
Agent in Charge for the Port Angeles
Office of the Olympic Peninsula of the
United States Border Patrol, in his official
capacity,

Defendants.

No. 12-cv-05378-BHS

STIPULATION AND
ORDER TO STAY LITIGATION

NOTED ON MOTIONS CALENDAR:
February 12th, 2013

JOINT STIPULATION AND ~~PROPOSED~~ ✓
ORDER TO STAY LITIGATION
(NO. 12-05378-BHS) – 1

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1 The parties have been actively engaged in discovery, in part aimed at the issues to be
2 addressed in a motion for class certification, which motion currently is due to be filed on
3 March 1, 2013. The parties recently have initiated good faith settlement discussions. The parties
4 agree that it is in their respective best interests, and in the interest of judicial economy and
5 efficiency, that they now focus their attention and resources on resolving this matter without
6 simultaneously trying to complete pending discovery and motion practice.
7

8 The parties, therefore, agree and stipulate to stay the litigation entirely until March 15,
9 2013, in order to allow the parties to focus their attention and resources on negotiations of a
10 potential settlement. On or before March 15, 2013, the parties agree to submit a joint status
11 report indicating whether discussions have been successful in achieving a settlement, and, if not,
12 proposing a new schedule resetting case deadlines.
13

14 The parties hereby stipulate and respectfully request that there is good cause under Fed.
15 R. Civ. P. 16(b)(4) and CR 10(g) for the Court to issue the attached proposed Order to Stay
16 Litigation.
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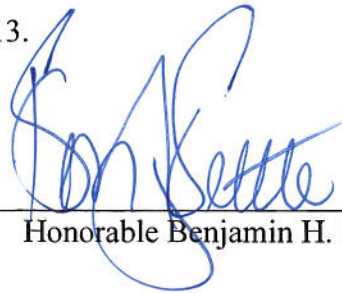
ORDER

The Court, having considered the parties' joint stipulation, and good cause appearing therefore,

IT IS HEREBY ORDERED, that all proceedings and deadlines in this case are stayed until March 15, 2013;

IT IS FURTHER ORDERED, that, on or before March 15, 2013, the parties shall submit a joint status report indicating whether discussions have been successful in achieving a settlement, and, if not, proposing a new schedule resetting case deadlines.

DATED this 14 day of February, 2013.



Honorable Benjamin H. Settle

1
2 DATED this 12th day of February, 2013.

/s/Nicholas P. Gellert

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